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Counsel for Defendant Craig Callaway

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARTY SMALL and LaQUETTA
SMALL,

Plaintiffs,

v.

CRAIG CALLAWAY and JOHN
DOES 1-5,

Defendants.

Case No. 1:21-cv-08665-JHR-AMD

NOTICE OF MOTION

TO: All Counsel of Record

PLEASE TAKE NOTICE that counsel for defendant Craig Callaway (“Callaway”), on May 17, 2021, at the United States District Court for the District of New Jersey, Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, NJ 08101, the Honorable Ann Marie Donio, U.S.M.J., shall move

the Court for an order dismissing the complaint pursuant to Fed. R. Civ. P. 12(b)(6) (the “Motion”); and

PLEASE TAKE FURTHER NOTICE that, in support of the Motion, Callaway submits a memorandum of law and the exhibits attached thereto;

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, must be filed with the Court and a copy delivered to Callaway’s counsel no later than May 3, 2021; and

PLEASE TAKE FURTHER NOTICE that Callaway requests oral argument.

A proposed form of order is attached.

Dated: April 15, 2021

Respectfully submitted,

/s/ Daniel W. Weininger
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